75453

ORDINANCE NUMBER 1

SERIES, 1978

AN ORDINANCE DECLARING THAT CERTAIN TERRITORY SHALL BE ANNEXED TO THE CITY OF ELGIN ON THE CONDITION THAT THE OWNERS OF SUCH CONTIGUOUS TERRITORY PROPOSED TO BE ANNEXED CONSENT IN WRITING TO SUCH ANNEXATION AS PROVIDED IN 222.170 OREGON REVISED STATUTES AS AMENDED.

WHEREAS it is proposed to alter the boundaries of the City of Elgin and add contiguous territory thereto, such territory being described as follows:

Beginning at a point 30.0 feet north and 271.17 feet N. 89° 43' 06" W., of the south one-quarter corner of Section 10, Twp. 1 N., R. 39. E.; W. M.; thence N. 89° 43' 06" W., 695.76 feet; thence north 470.00 feet; thence S. 89° 43' 06" E., 695.76 feet; thence south, 470.00 feet to the point of beginning, all being situated in Union County, Oregon. Containing 7.507 Acres.

Beginning at a point 30.0 feet north and 271.17 feet N. 89° 43' 06" W., of the south one quarter corner of Section 10, Twp. 1 N., R. 39 E.; W. M.; thence north 470.0 feet; thence S. 89° 43' 06" E., 779.50 feet; thence south 130.0 feet; thence N. 89° 43' 06" W., 470.0 feet; thence south 340.0 feet; thence N. 89° 43' 06" W., 309.50 feet to the point of beginning. All being situated in Union County, Oregon. Containing 4.743 Acres.

WHEREAS the City Charter of the City of Elgin does not expressly prohibit the City Council from dispensing with the submission of the question of annexation of the territory to the City to the registered voters of the City, and

WHEREAS by Resolution Number 1, Series, 1978, the City Council of the City of Elgin resolved that the question of annexation of the contiguous territory above described should not be submitted to the registered voters of the City, and thereby elected to dispense with the submission of such question to such voters, that public hearing before the City Council of the City of Elgin to be held on Tuesday the 14th day of February, 1978 at the hour of 8:00 P. M. in the City Council Room of the City Hall in the City of Elgin, Oregon, at which time registered voters of the City of Elgin might appear and be heard on the question of annexation of the contiguous territory above described, and that notice of such hearing be published once each week for two successive weeks prior to the date of the hearing in the Elgin Recorder, a newspaper of general circulation in the City of Elgin, and posted in four public places in said City for a like period , and,

WHEREAS notice of such hearing was duly published once a week for two successive weeks prior to the day of hearing in the Elgin Recorder, a newspaper of general circulation in the City of Elgin, as is evidenced by the affidavit of publication filed with the Recorder of the City of Elgin, that such notice was duly posted in four public places in said City for a like period, as is

evidenced by the affidavit of the Recorder of the City of Elgin filed in his office, and

WHEREAS the public hearing was held before the City Council for the City of Elgin on Tuesday, the 14th day of February, 1978 at 8:00 P. M. in the City Council Room in the City Hall in the City of Elgin, Oregon at which time registered voters of the City appeared and were heard on the question of annexation of the contiguous territory hereinabove mentioned.

NOW, THEREFORE, THE CITY OF ELGIN DOES ORDAIN as follows:

Section 1. That no election is required in the City of Elgin on the question of annexation of the contiguous territory above described, that such question shall not be submitted to the registered voters of the City, and the City Council hereby elects to dispense with the submission of that question to such voters.

Section 2. That the territory hereinabove described shall be annexed to the City upon the condition that the owners of all thereof consent in writing to such annexation as provided in 222.170 Oregon Revised Statutes as amended.

PASSED this 14th day of February, 1978 by 6 Council persons voting therefore.

APPROVED this 14th day of February, 1978.

ATTEST: Ron Scoubes
City Recorder

Rodney Flintoff
Mayor

75253

STATE OF OREGON } ss
County of Union }

I certify that the within instrument of writing was received for record on the 28 day of Feb 1978 at 400 o'clock P M., and recorded on page — in book — Record of Deeds of said County.

SHIRLEY L. BOLIN County Clerk.

By Marilyn Miller Deputy.

4:00pm 6.00 bill City Elgin